

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

M.S., minor child through next best friend	:	CIVIL ACTION
MARIALISA SHIHADDEH, <i>et al.</i>	:	
	:	
v.	:	
	:	
MARPLE NEWTOWN SCHOOL	:	
DISTRICT, <i>et al.</i>	:	NO. 11-5857

ORDER

AND NOW, this 5th day of January, 2015, upon consideration of the request of defendants, Marple Newtown School District and Marple Newtown Board of School Directors, to dismiss this case for lack of subject matter jurisdiction because of failure to satisfy the exhaustion requirement, *see* Defs.' Br. Supp. Dism. for Lack of Subj. Matter Jurisd. filed 12/12/14 (ECF Document 91), and plaintiffs' request not to dismiss this action on jurisdictional grounds, *see* Pls.' Br. Re: Exhaustion filed 12/15/14 (Doc. 92), Defendants' Motion for Summary Judgment (Doc. 60), and plaintiffs' Response in opposition thereto, and for the reasons provided in the accompanying Memorandum, it is hereby **ORDERED** that:

1. Defendants' request to dismiss this case is **GRANTED**;
2. This case is **DISMISSED** with prejudice;
3. The Clerk of Court shall **CLOSE** this case for statistical purposes.

BY THE COURT:

s/ L. Felipe Restrepo

L. FELIPE RESTREPO
UNITED STATES DISTRICT JUDGE